

**Rye City Planning Commission Minutes**  
**Special Meeting**  
February 4, 2003

**PRESENT:**

Michael W. Klemens, Chairman  
Peter Larr, Vice-Chairman  
Franklin Chu  
Hugh Greechan  
Martha Monserrate  
Barbara Cummings  
Patrick McGunagle

**ABSENT:**

None

**ALSO PRESENT:**

Christian K. Miller, AICP, City Planner

Chairman Klemens called the regular meeting to order in the Mayor's Conference Room of the City Hall and noted that a quorum was present to conduct official business.

**1. Review of Draft Planning Commission and Department Annual Report**

The Commission reviewed and discussed the draft annual Planning Commission and Planning Department Annual Report. The Commission noted that the report should be revised to reflect the Department's participation in applying for the New York State Wetland Restoration grant for the Rye Nursery property.

The Commission also discussed revisions to the 2002 application table and suggested that it be amended to eliminate the "status" column. The Commission also requested that the text of the report be amended to reflect the extent to which the Commission requires the modification of applications to address substantive concerns raised during the application review process.

On a motion made by Peter Larr, seconded by Barbara Cummings and carried by the following vote:

**AYES:** Michael Klemens, Peter Larr, Franklin Chu, Barbara Cummings, Hugh Greechan, Martha Monserrate, Patrick McGunagle

## Rye City Planning Commission Minutes (Cont.)

February 4, 2003

Page 2 of 3

1 NAYS: None

2 RECUSED: None

3 ABSENT: None

4  
5 the Planning Commission took the following action:

6  
7 **ACTION:** The Planning Commission approved the annual report with the above  
8 mentioned revisions.  
9

### 10 **2. Discussion of Proposed Building Moratorium Local Law**

11  
12 The Chairman noted that the City Planner advised him that the City Council was  
13 considering adopting a moratorium local law at its February 5 meeting and that they  
14 desired the Planning Commission's comments before that date. The Chairman noted that  
15 since the Commission did not have a regularly scheduled meeting before the Council's  
16 February 5 meeting that he called a special meeting to meet the Council's request.  
17

18 The Commission discussed the proposed moratorium and noted that there was no crisis in  
19 the City necessitating the need for such a law. The Commission noted that only between  
20 10 and 20 new homes are constructed in the City each year and that a moratorium limited  
21 to only those applications did not appear appropriate.  
22

23 The Commission objected to the scope of the proposed moratorium, noting that it could  
24 deny the issuance or revoke building permits and certificates of occupancy. The  
25 Commission noted that this would be a hardship to those who have substantially completed  
26 the application review or construction process.  
27

28 On a motion made by Barbara Cummings and seconded by Patrick McGunagle, and  
29 carried by the following roll-call vote:  
30

31 AYES: None

32 NAYS: Michael Klemens, Peter Larr, Franklin Chu, Barbara Cummings, Hugh  
33 Greechan, Martha Monserrate, Patrick McGunagle

34 RECUSED: None

35 ABSENT: None  
36

37 the Planning Commission took the following action:

38  
39 **ACTION:** The Planning Commission opposed the proposed moratorium local law  
40 under consideration by the City Council.  
41

## Rye City Planning Commission Minutes (Cont.)

February 4, 2003

Page 3 of 3

On a motion made by Peter Larr and seconded by Hugh Greechan, the Planning Commission took a roll-call vote on the following:

AYES: None

NAYS: Michael Klemens, Peter Larr, Franklin Chu, Barbara Cummings, Hugh Greechan, Martha Monserrate, Patrick McGunagle

RECUSED: None

ABSENT: None

the Planning Commission took the following action:

**ACTION:** The Planning Commission opposed any moratorium local law including one that would be more limited in scope than the current law under consideration by the City Council.

The Commission agreed that the City Planner prepare a memorandum to the City Council indicating its opposition to a moratorium. The Commission noted that it continues to support the Sub-Committee's House Scale report and encourages the City Council to move expeditiously with initiating the public input process on the report's recommendations. As discussed at its January 14, 2003 meeting, however, the Commission reiterated that the proposed recommendations should be evaluated in terms of the potential fiscal impact on the City tax revenues and the potential for the recommendations to have a disproportionate impact on Rye's smaller residential properties.

The Commission further suggested that the City Council consider directing the Board of Architectural Review, Zoning Board of Appeals and City Staff to encourage applicants to prepare plans consistent with the proposed recommendations. The Commission viewed this non-binding and voluntary commitment as an appropriate alternative to a moratorium.

There being no further business the Commission unanimously adopted a motion to adjourn the meeting at approximately 7:00 PM. The meeting started at 6:00 PM.